

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA, §
Plaintiff §
v. §
CHAD ALLEN WILCOX, §
Defendant §

Case No. 1:21-CR-00131-RP

Order on Defendant's Motion to Modify Conditions of Pretrial Release

Now before the Court is Defendant's Motion to Modify Conditions of Release, filed January 26, 2022. Dkt. 19. The District Court referred the Motion to the undersigned Magistrate Judge for resolution, pursuant to 18 U.S.C. § 3006A(b), 38 U.S.C. § 636(b)(1), and Rule 44 of the Federal Rules of Criminal Procedure. Dkt. 20.

On July 20, 2021, Defendant Chad Allen Wilcox was indicted on one count of Sexual Exploitation of Children, in violation of 18 U.S.C. §§ 2251(a) and 2251(e), and one count of Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B). The undersigned Magistrate Judge ordered Defendant released pending trial on July 28, 2021, pursuant to an Order Setting Conditions of Release. Dkt. 9. Jury trial is set for April 18, 2022. Dkt. 18.

In his Motion, Defendant asks the Court to modify or authorize exceptions to the following two Additional Conditions of Release – Specialized:

- 7(cc) The defendant must have no contact with minor children under the age of eighteen and will not reside in a household where the victim(s) or minor children live unless approved by the Court. Children currently living in the home must be provided with counseling through school or public health.
- 7(ii) Minors not already residing in the residence will not be permitted to visit the defendant's current approved residence.

Dkt. 9 at 4. Specifically, Defendant asks the Court to permit (1) his son's 16-year-old pregnant girlfriend to live in his home, and (2) "visitation with his grandchildren under the presence and supervision of the grandchildren's parents." Dkt. 19 at 2-3.

The Court finds that Defendant has not established good cause to modify his conditions of release. The conditions were set with care, in consultation with the United States Pretrial Services Office, to protect children in Defendant's home in light of his pending charges. The Court does not find it appropriate to modify those restrictions ten weeks before Defendant's trial date.

Defendant's conditions of release remain as previously ordered.

SIGNED on February 1, 2022.

SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE